



**Joseph M.
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Of Counsel

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Over the past 35 years, Joe McLaughlin has successfully represented clients in hundreds of class action, shareholder derivative and other aggregated proceedings in trial and appellate courts across the country, including the U.S. Supreme Court.

Widely recognized as one of the nation's premier class action and complex litigation practitioners, Joe was named a "Class Action/Mass Tort Litigation Trailblazer" by *The National Law Journal* in recognition of his successes representing clients in complex litigation across a wide array of industries. *The American Lawyer* featured him as national "Litigator of the Week" for his New York Court of Appeals win for Countrywide Home Loans in a closely-followed residential mortgage-backed securities case, and referred to Joe as a "reliable winner" and a "class action star." He successfully represented B.A.T. Industries plc as lead counsel at the federal court jury trial of a healthcare expense reimbursement action seeking multibillion-dollar damages. Joe also successfully represented 52 limited partners of LJM2 Co-Investment L.P. as lead counsel at a trial regarding the validity of the removal of the general partner, and was lead trial counsel in proceedings for the limited partners around the country. He obtained a rare reversal of class certification in 10b-5 litigation for Best Buy, Inc. in the Eighth Circuit Court of Appeals, followed by another certification denial on remand and entry of summary judgment dismissing all claims. Legal commentary stated that Joe's "tenacity" and defense strategies "changed the course of the case," resulting in a "landmark ruling . . . worth recounting because future securities defendants will surely try to replicate arguments that worked so well for Simpson Thacher and its client." Joe also obtained denial of class certification of federal securities claims for Virtus Investment Partners, which received widespread media recognition. In 2017, he obtained appellate reversals in the Wisconsin Supreme Court and Florida Court of Appeals resulting in the dismissal of claims against Countrywide and Stonepeak Partners LP. In December 2020, Joe secured dismissal with prejudice of a complaint filed in New York state court against Countrywide related to the aforementioned Wisconsin

Practice Focus:

- Securities Litigation
- Product Liability and Mass Tort
- Mergers and Acquisitions Litigation
- Corporate Governance
- Shareholder Activism
- Litigation
- Appellate

Industries:

- Consumer Products
- Energy - Oil and Gas
- Financial Services
- Healthcare and Life Sciences
- Technology

litigation.

Joe has extensive experience representing clients in securities and complex commercial litigation and has represented clients in all types of government and internal investigations and related trial and appellate matters. He represented several underwriter defendants in the largest securities litigation in history, the *Initial Public Offering Securities Litigation*, in which he served as lead counsel for scores of defendants in obtaining an order striking the class allegations in numerous cases and subsequently negotiating a favorable settlement. He frequently advises corporate boards of directors and special committees in responding to shareholder demand letters and derivative claims.

His other recent successful engagements include:

- Bright Health Group and its most senior executives in dismissal of federal securities claims (recognized in *The American Lawyer's* [“Litigator of the Week” coverage](#));
- CEO of Perrigo in a class action;
- Brighthouse Life Insurance Company in nationwide class actions;
- A former senior officer in nationwide opioid litigation;
- Lorillard, Inc. and its Board in numerous shareholder lawsuits arising from a \$25 billion merger;
- Petrohawk Energy Corp. and its Board in tender offer litigation in three jurisdictions arising from a \$15 billion merger, including defeating an attempt to enjoin the deal;
- Halcón Resources Corp. in dismissal in the Delaware Court of Chancery of shareholder litigation challenging corporate restructuring as a related party transaction;
- Bank of America's Countrywide subsidiaries in residential mortgage-backed securities litigation brought by monoline insurers MBIA, FGIC and Ambac;
- Independent directors of Tetragon Financial Group in dismissal of all claims in federal securities litigation;
- J.P. Morgan Securities Inc. and Bear Stearns in 55 industry-wide cases alleging violations of Section 16(b) short swing profit regulations in connection with certain initial public offerings, including before the Supreme Court;
- Special Transaction Committee of Clearwire Corp. in shareholder litigation arising from acquisition by Sprint Nextel;
- Petrohawk Energy Corp. in obtaining summary judgment in a seminal bondholder action and before the Delaware Supreme Court in obtaining that ruling's affirmance;
- Dillard's and its Board of Directors in dismissal of federal and state shareholder derivative lawsuits;
- Smithfield Foods, Inc. and its Board in shareholder litigation arising from its acquisition by Shuanghui International, including obtaining denial of objections to settlement;
- GeoResources, Inc. in a lawsuit alleging breach of a warrant agreement; and
- Private equity firms including Blackstone, Carlyle, Centerbridge, First Reserve, Lexington Partners, Hellman & Friedman and Silver Lake in numerous contested proceedings nationwide protecting confidentiality of investment information.

He is the author of the two-volume treatise, *McLaughlin on Class Actions: Law and Practice* (Thomson West 21st ed. 2024), a leading treatise cited in class action and shareholder derivative litigation in federal and state trial and appellate courts around the country, and for which he was awarded the Burton Award for Legal Achievement. He is a frequent lecturer across the country on class action, securities and corporate governance matters, and his commentary on these issues has been widely published, including in a regular column in the *New York Law Journal*.

Joe is consistently recognized as a key figure in his field by Euromoney's *Benchmark Litigation* and *The Legal 500 U.S.*, where sources have called him a "terrific lawyer, both at the appellate and trial court level," a "very strong oral advocate and writer," an "excellent client services lawyer" and "a true professional." He has been named to *Irish America* magazine's 2011 *Legal 100*, *The Best Lawyers in America* and *Super Lawyers*, and the *Martindale-Hubbell Law Directory*, which recognizes him as an AV-rated attorney. Joe joined Simpson Thacher in 1990 and was elected a Partner in 1997. Prior to joining the Firm, Joe served as a law clerk to the Hon. John F. Keenan in the Southern District of New York. Joe is Co-Chair of the Firm's Client Committee and serves as a member of the Board of Directors of Mobilization for Justice.